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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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11 MOODY W. TANKSLEY,

No. CIV S-08-2881-CMK-P

12 Plaintiff,

13 vs.

ORDER

14 ARANDA, et al.,

15 Defendants.  
16 \_\_\_\_\_/

17 Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant  
18 to 42 U.S.C. § 1983. This case was dismissed and judgment was entered on August 28, 2009,  
19 following plaintiff's failure to fully comply with the court's order to submit documents for  
20 service of the action by the United States Marshal. Pending before the court is plaintiff's motion  
21 for reconsideration (Doc. 29). Good cause appearing therefor, and in the interest of justice, the  
22 court will vacate the judgment and dismissal order and re-open this action. Plaintiff will be  
23 provided another opportunity to submit the required service documents.

24 Accordingly, IT IS HEREBY ORDERED that:

25 1. Plaintiff's motion for reconsideration (Doc. 29) is granted;

26 ///

1           2.     The judgment entered on August 28, 2009, and the order issued that same  
2 date, are hereby vacated and this action is re-opened;

3           3.     The court authorizes service on the following defendant(s):

4                   ARANDA;

5                   WILLS;

6                   BEAM;

7                   SULLIVAN;

8                   BIAGGINI;

9                   MUNZI; and

10                  JONES;

11           4.     The Clerk of the Court shall send plaintiff one USM-285 form for each  
12 defendant identified above, one summons, an instruction sheet, and a copy of the second  
13 amended complaint; and

14           5.     Within 30 days of the date of service of this order, plaintiff shall complete  
15 the attached Notice of Submission of Documents and submit the following documents to the  
16 court:

17                   a.     The completed Notice of Submission of Documents;

18                   b.     One completed summons;

19                   c.     Seven completed USM-285 form(s); and

20                   d.     Eight copies of the endorsed second amended complaint.

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23 DATED: October 1, 2009

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25 **CRAIG M. KELLISON**  
26 UNITED STATES MAGISTRATE JUDGE

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11 MOODY W. TANKSLEY,

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12 Plaintiff,

13 vs.

14 ARANDA, et al.,

15 Defendants.  
16

17 \_\_\_\_\_/  
18 NOTICE OF SUBMISSION OF DOCUMENTS

19 Plaintiff hereby submits the following documents in compliance with the court's  
20 order:

21 1 completed summons form;  
22 \_\_\_\_\_ completed USM-285 form(s); and  
23 \_\_\_\_\_ copies of the second amended complaint.  
24

25 DATED: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff  
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